

**Ministry of Municipal
Affairs and Housing**

Municipal Services Office
North (Sudbury)
159 Cedar Street, Suite 401
Sudbury ON P3E 6A5
Tel: 705-564-0120
Toll-free: 1-800-461-1193

**Ministère des affaires
municipales et du logement**

Bureau des services aux
municipalités du Nord (Sudbury)
159 rue Cedar, bureau 401
Sudbury ON P3E 6A5
Tél.: 705 564-0120
Sans frais: 1-800-461-1193



September 8, 2026

Michael Zinbayev
203-78 Roehampton Blvd.
St. Catharines, Ontario M5L 1A9
Email: michael_zin2000@yahoo.ca; mzin.ev@gmail.com

via email only

Subject: GRANTING OF PROVISIONAL CONSENT
Location: PIN 65461-0106: PCL 7416 SEC CST SE ¼ LT 5 CON 1 (severed); and
PIN 65461-0107: SW ¼ LT 5 CON 1 (retained); Benoit unincorporated
Township, District of Cochrane
Owners: Michael (Mikhaylo) Zinbayev and Ludmila Herner
MMAH File: 56-C-253706

Dear Michael Zinbayev,

Pursuant to Section 53 of the *Planning Act*, a provisional consent is hereby granted in respect of the above-noted application. A list of the conditions that must be fulfilled before consent is given is attached. It is the applicant's and/or agent's responsibility to fulfill the conditions of consent approval within two years of the date of this letter.

Yours truly,

A handwritten signature in cursive script that reads "Cara Holtby".

Cara Holtby
A/Team Lead, Community Planning and Development
Municipal Services Office North (Sudbury)

Applicants:	Michael (Mikhaylo) Zinbayev and Ludmila Herner	Date of Decision:	September 8, 2026
File Number:	56-C-253706	Date of Notice:	September 8, 2026
Municipality / Township:	Benoit unincorporated township, District of Cochrane	Last Date of Appeal:	September 28, 2026
Location:	PIN 65461-0106: PCL 7416 SEC CST SE ¼ LT 5 CON 1 (severed); and PIN 65461-0107: SW ¼ LT 5 CON 1 (retained)		

NOTICE OF DECISION

On Application for Consent Subsection 53 (17) of the *Planning Act*

On September 8, 2026 the Minister of Municipal Affairs and Housing gave provisional consent to Application No. 56-C-253706 for a new lot Benoit unincorporated township, District of Cochrane. The application would sever one seasonal recreational lot (PIN 65460-0106) from the adjacent lot (PIN 65461-0107) after two properties merged on title in 2021. A copy of the decision is attached.

Who Has Appeal Rights under the *Planning Act*

Other than the applicant, only a “specified person” or “public body”, as defined in s. 1 (1) of the *Planning Act*, has the ability to appeal the decision to the Ontario Land Tribunal.

When and How to File a Notice of Appeal

Notice to appeal the decision to the [Ontario Land Tribunal](#) must be filed with the Minister of Municipal Affairs and Housing on or before the last date of appeal as noted above.

The notice of appeal should be sent to the attention of Alissa Moenting Edwards, Planner, at the address shown below and it must,

- 1) set out the reasons for the appeal, and
- 2) be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021* in the amount of \$400.00, payable to the Minister of Finance.

How to Receive Notice of Changed Conditions

The conditions of a provisional consent may be changed at any time before the consent is given.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you make a written request to be notified of changes to the conditions of approval of the provisional consent.

Other Related Applications

N/A

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Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the address shown below.

Mail Address for Notice of Appeal

Ministry of Municipal Affairs and Housing
Municipal Services Office North (Sudbury),
401-159 Cedar Street
Sudbury, ON P3E 6A5
Attention: Alissa Moenting Edwards, Planner
Telephone: (705) 618-5059

In addition, send a copy of your notice of appeal to the Minister of Environment, Conservation and Parks. You can provide notice by email at minister.mecp@ontario.ca or by mail at:

College Park
5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Appeal Rights under the Environmental Bill of Rights

The *Environmental Bill of Rights, 1993* provides a separate ability to seek leave to appeal decisions on consent applications that are posted to the Environmental Registry of Ontario (ERO). This appeal must be commenced within 15 days of the notice of decision being posted on the ERO. For more information about this appeal method, refer to the *Environmental Bill of Rights, 1993*, or <https://www.ontario.ca/page/environmental-bill-rights>.

The notice for this application is available to view on the ERO at <https://ero.ontario.ca/notice/026-0182>.



Cara Holtby
A/Team Lead, Community Planning and Development
Municipal Services Office North (Sudbury)

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The Minister's conditions to the granting of consent for this transaction, **which must be fulfilled within two years from the date of the Notice of Decision**, are set out below. These conditions must be fulfilled prior to the granting of consent.

No. Conditions

1. That this approval applies to permit the transfer of a new lot as described in the above-noted application and identified on Schedule A attached hereto and forming part of the decision. With respect to two PINs of approximately 32 hectares each that merged on title in 2021, the application would sever one seasonal recreational lot (PIN 65460-0106) from an adjacent seasonal recreational lot (PIN 65461-0107) on Wolf Lake Road in Benoit unincorporated township, District of Cochrane.
2. That the following documents be provided for the transaction described in Condition 1:
 - a. A copy of the application to transfer documents;
 - b. A schedule to application to transfer on which is set out the entire legal description of the parcels in question. The Schedule will include the names of the parties indicated on application to transfer; and
 - c. A registerable legal description for the severed lot. Alternatively, a reference plan of survey bearing the Land Registry Office registration number and signature as evidence of its deposit therein and illustrating the parcels to which this consent approval relates.
3. That, prior to final approval, and pursuant to subsections 53 (12) and 51 (25) and 51 (26) or (27) of the *Planning Act*, the applicant shall enter into a Consent Agreement with the Ministry of Municipal Affairs and Housing, to its satisfaction, addressing the use and potential development of the severed and retained lots, including:
 - a. the severed and retained lots may only be used for resource-based recreational uses, which may include a recreational dwelling, and are not to be used for permanent residential, commercial, or industrial uses;
 - b. provisions to obtain undertakings from the applicant and/or the applicant's lawyer to implement conditions and requirements, including that the Consent Agreement be registered on title in priority to other documents; and
 - c. provisions relating to the enforcement of the Consent Agreement.

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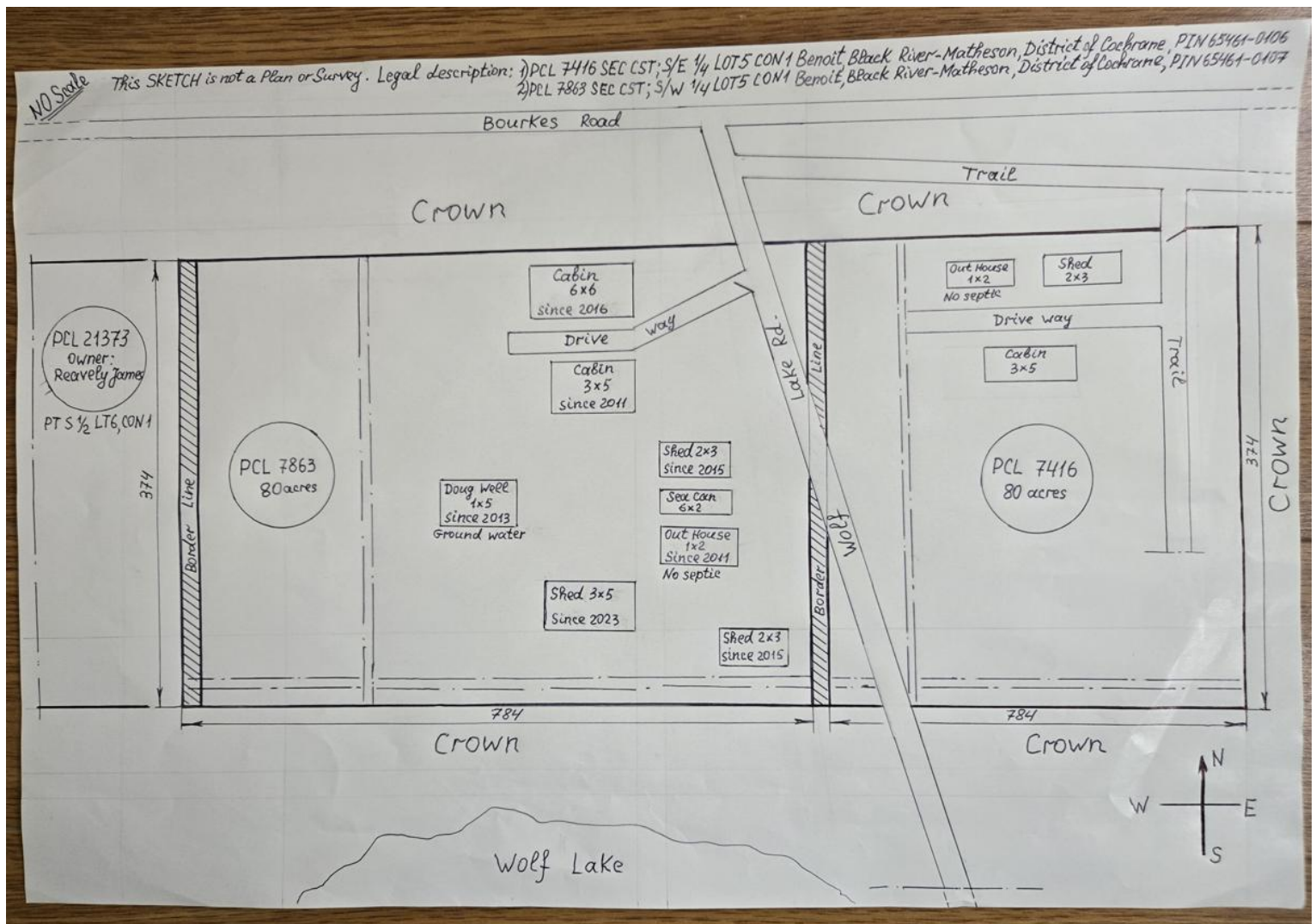
Date of Notice: September 8, 2026

Municipality / Township: Benoit unincorporated township,
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Schedule A (note: length and width values are reversed)



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The following notes are for your information:

No. Notes

1. The required Transfer/Deed of Land form and Schedule page shall contain complete and accurate legal descriptions. The Minister's certificate of consent will be affixed to the completed Schedule page. For this reason, the names of the parties also must be set out on the Schedule page, so that the consent may be properly related to the intended conveyance.

Inaccuracies or omissions with regard to the legal description in the Transfer/Deed of Land form, the Schedule page or the survey plan will result in the documents being returned without consent.

2. It is the applicant's and/or agent's responsibility to fulfil the conditions of consent approval within two years of the date of this letter pursuant to Section 53 (41) of the *Planning Act*. **We will issue no further notice or warning of the expiration of the two-year period.**

If the conditions of consent approval are not fulfilled within two years of the date of this letter and the applicant is still interested in pursuing the proposal, a new application will be required. **All documentation required for final approval should be provided to the Ministry of Municipal Affairs and Housing a minimum of one month prior to the lapsing date.**

3. The Bourkes Local Roads Board maintains Wolf Lake Road seasonally. Roads and trails emerging off Wolf Lake Road in the vicinity of the subject lands are on Crown lands. Creation or maintenance of a Crown land trail or road may require a Ministry of Natural Resources (MNR) work permit under the *Public Lands Act*. Permit requests will be subject to review in accordance with MNR's applicable environmental assessment procedures. Please contact the Timmins/Kirkland Lake MNR District by e-mail at mnrf.tim.kl@ontario.ca or by phone at 705-568-3222 regarding any required work permits.

4. Please be advised of the following with respect to your property:
 - No assessment has been undertaken for groundwater quality or quantity. Groundwater supplies may not be adequate to support the use of individual private wells.
 - Should wells be considered as drinking water sources, they must be constructed in accordance with Regulation 903 – Wells, under the *Ontario Water Resources Act*.
 - Water from shallow wells or nearby waterbodies should not be used for human consumption unless it is disinfected and/or treated to meet the Ontario Drinking Water Quality Standards, as stipulated in O. Reg. 169/03 of the *Safe Drinking Water Act*.
 - Small private sewage disposal facilities which have a daily sewage flow of 10,000 litres or less per day must be certified by the local health unit. The local health unit must be

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contacted for information on the proper installation and operation of Class IV septic systems and Class 1 (pit privy) sewage systems. It is recommended that sewage systems be located where native soils are deepest and as far as possible from wells and waterbodies.

- Domestic waste must be appropriately handled and disposed of at an MECP-approved waste disposal facility.
 - The Building Code is effective throughout Ontario and owners are responsible for ensuring their buildings and structures meet the appropriate code.
5. The subject lands are located outside of municipal fire protection areas. Any applicable wildland fire mitigation measures should be informed by the Wildland Fire Risk Assessment and Mitigation Reference Manual, including vegetation management techniques outlined in Chapter 7. Further information can be found at: <https://www.ontario.ca/page/firesmart> and <https://www.ontario.ca/page/wildland-fire-risk-assessment-and-mitigation-referencemanual>. The *Forest Fires Prevention Act* applies from April 1 to October 31 and outlines requirements related to burning guidelines. The act can be found at the following link: <https://www.ontario.ca/laws/statute/90f24>.